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Attorneys for Shad James Huston,
K&N Consulting, LLC, and
TMP Services, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TONY JAMES BELCOURT,
HAILEY LEE BELCOURT,
SHAD JAMES HUSTON,
K&N CONSULTING, LLC,
and TMP SERVICES, LLC.

Defendants.

CR 13-98-GF-BMM

WITHDRAWAL OF PLEAS OF
GUILTY AND SPECIFICATION
OF GROUNDS FOR OBJECTION
TO THE COURT'S REJECTION OF
THE PLEA AGREEMENT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHAD JAMES HUSTON,

Defendant.

CR 14-46-GF-BMM

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRUCE HAROLD SUNCHILD and
SHAD JAMES HUSTON,

Defendants.

CR 14-47-GF-BMM

I. Withdrawal of pleas of guilty.

Over the objection of the Defendants, on March 12, 2015, the Court rejected the plea agreements into which Shad James Huston, and K&N Consulting, LLC (herein “the Huston Defendants”) had entered. The Court then advised the Huston Defendants that they had a right to withdraw the pleas of guilty which they had previously entered. Accordingly, the Huston Defendants, by and through their counsel of record, Michael J. Sherwood, now exercise that right and respectfully withdraw all pleas of guilty previously entered by Mr. Huston and K&N

Consulting, LLC in Causes of Action CR 13-98-GF-BMM, CR 14-46-GF-BMM and CR 14-47-GF-BMM.

II. Specification of grounds for objection to rejection of Plea Agreements.

Having now had time to review the pertinent rules and case law, as well as a transcript of the proceedings of March 12, 2015, Counsel for the Defendants hereby specifies the grounds upon which the Huston Defendants base their objection as follows:

- A. By rejecting the plea agreements in these matters the Court improperly inserted itself into the Prosecutor's charging decision, a function generally within the Prosecutor's exclusive domain; and
- B. The Court failed to set forth, on the record, both the Prosecutor's reasons for framing the Plea Agreements and the Court's justification for rejecting the bargain other than to suggest that for undisclosed reasons the remaining charges failed to adequately reflect Mr. Huston's role in the transactions that took place at the Rocky Boy's Indian Reservation for the periods in question.

RESPECTFULLY SUBMITTED this 20th day of March, 2015.

/s/ Michael J. Sherwood
Michael J. Sherwood
Attorney for Shad James Huston

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of March, 2015, a copy of the foregoing document was served on the following persons by the means indicated below:

1-6 CM/ECF

 Fax

 E-mail

 Hand Delivery

 U.S. Mail

 Overnight Delivery

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